

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JASON LEE SUTTON,

Plaintiff,

V.

PIERCE COUNTY SHERIFF PAUL
PASTOR, CHAPLAIN RICHARD
ODEGARD, AND RABBI GARY
FRIEDMAN.,

Defendants.

Case No. C07-5327RBL/JKA

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
 - (2) Plaintiff's motion for default is **DENIED**. Defendant Odegard has ten days from entry of this order to file an answer, otherwise the court will enter an order of default.
 - (3) Paul Pastor's motion to dismiss is **GRANTED**. Richard Odegard's motion to dismiss is **DENIED**.
 - (4) Plaintiff's Motion to have the U.S. Marshall Affect Personal Service [Dkt. #28] is **DENIED AS MOOT**.

1 (5) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants,
2 and to the Hon. J. Kelley Arnold.

3 DATED this 7th day of March, 2008.

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5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE

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